002.00170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Alessi et al.

Serial No.: 09/937,009

Filed: March 17, 2000

For: ENZYME

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Commissioner for Patents
Box PCT
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

In response to the Notification of Defective Response, which was mailed by the United States Patent and Trademark Office on **June 4, 2002**, enclosed are:

(**X**) Preliminary Amendment (8 pgs)

(**X**) Sequence Listing (26 pgs), 3.5" Diskette in computer readable form & 1.821(f) Statement(1 pg)

(**X**) A copy of the Notification of Defective Response (10 pgs)

(**X**) The Commissioner is hereby authorized to charge any fees which may be required to Deposit Account No. 50-0772.

Dated: 26 June 2002

Susan J. Braman
Reg. No. 34,103

Braman & Rogalskyj, LLP
P.O. Box 352
Canandaigua, New York 14424-0352
Telephone: (585) 393-3002
Facsimile: (585) 393-3001

002.00170

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Alessi et al.	)	
		)	
Serial No.:	09/937,009	)	Examiner:
		)	
Filed:	March 17, 2000	)	
		)	Art Unit:
For:	ENZYME	)	
		)	

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Commissioner for Patents
Box PCT
U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

I hereby certify that this Response to Notification of Defective Response (1 pg) with Copy of Notification, Sequence Listing pages 1-26 with 3 1/2" diskette and 1.821(f) Statement, and Preliminary Amendment (8 pgs) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, Box PCT, U.S. Patent and Trademark Office, Washington, D.C. 20231 on

26 June 2002
(Date)

Susan J. Braman

Susan J. Braman

"Express Mail" Mailing Label Number ET730023021US

Raw Sequence Listing Error Summary

ERROR DETECTED	SUGGESTED CORRECTION	SERIAL NUMBER: 09/937,009

ATTN: NEW RULES CASES: PLEASE DISREGARD ENGLISH "ALPHA" HEADERS, WHICH WERE INSERTED BY PTO SOFTWARE

1	Wrapped Nucleics Wrapped Aminos	The number/text at the end of each line "wrapped" down to the next line. This may occur if your file was retrieved in a word processor after creating it. Please adjust your right margin to .3; this will prevent "wrapping."
2	Invalid Line Length	The rules require that a line not exceed 72 characters in length. This includes white spaces.
3	Misaligned Amino Numbering	The numbering under each 5th amino acid is misaligned. Do not use tab codes between numbers; use space characters, instead.
4	Non-ASCII	The submitted file was not saved in ASCII(DOS) text, as required by the Sequence Rules. Please ensure your subsequent submission is saved in ASCII text.
5	Variable Length	Sequence(s)____contain n's or Xaa's representing more than one residue. Per Sequence Rules, each n or Xaa can only represent a single residue. Please present the maximum number of each residue having variable length and indicate in the <220>-<223> section that some may be missing.
6	PatentIn 2.0 "bug"	A "bug" in PatentIn version 2.0 has caused the <220>-<223> section to be missing from amino acid sequences(s) _____. Normally, PatentIn would automatically generate this section from the previously coded nucleic acid sequence. Please manually copy the relevant <220>-<223> section to the subsequent amino acid sequence. This applies to the mandatory <220>-<223> sections for Artificial or Unknown sequences.
7	Skipped Sequences (OLD RULES)	Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence: (2) INFORMATION FOR SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) (i) SEQUENCE CHARACTERISTICS: (Do not insert any subheadings under this heading) (xi) SEQUENCE DESCRIPTION:SEQ ID NO:X: (insert SEQ ID NO where "X" is shown) This sequence is intentionally skipped Please also adjust the "(ii) NUMBER OF SEQUENCES:" response to include the skipped sequences.
8	Skipped Sequences (NEW RULES)	Sequence(s) _____ missing. If intentional, please insert the following lines for each skipped sequence. <210> sequence id number <400> sequence id number 000
9	Use of n's or Xaa's (NEW RULES)	Use of n's and/or Xaa's have been detected in the Sequence Listing. Per 1.823 of Sequence Rules, use of <220>-<223> is MANDATORY if n's or Xaa's are present. In <220> to <223> section, please explain location of n or Xaa, and which residue n or Xaa represents.
10	Invalid <213> Response	Per 1.823 of Sequence Rules, the only valid <213> responses are: Unknown, Artificial Sequence, or scientific name (Genus/species). <220>-<223> section is required when <213> response is Unknown or is Artificial Sequence
11	Use of <220>	Sequence(s) _____ missing the <220> "Feature" and associated numeric identifiers and responses. Use of <220> to <223> is MANDATORY if <213> "Organism" response is "Artificial Sequence" or "Unknown." Please explain source of genetic material in <220> to <223> section. (See "Federal Register," 06/01/1998, Vol. 63, No. 104, pp. 29631-32) (Sec. 1.823 of Sequence Rules)
12	PatentIn 2.0 "bug"	Please do not use "Copy to Disk" function of PatentIn version 2.0. This causes a corrupted file, resulting in missing mandatory numeric identifiers and responses (as indicated on raw sequence listing). Instead, please use "File Manager" or any other manual means to copy file to floppy disk.
13	Misuse of n	n can only be used to represent a single nucleotide in a nucleic acid sequence. N is not used to represent any value not specifically a nucleotide.

PCT09

RAW SEQUENCE LISTING DATE: 05/15/2002
PATENT APPLICATION: **US/09/937,009** TIME: 16:04:41

Input Set : **A:\P22517PC.txt**
Output Set: **N:\CRF3\05152002\I937009.raw**

Does Not Comply
Corrected Diskette Needed

pp 1-5

```
  3 <110> APPLICANT: Alessi, Dario
  4       Balendran, Anudharan
  5       Deak, Maria
  6       Currie, Ricahrd
  7       Downes, Peter
  8       Casamayor, Antonio
 10 <120> TITLE OF INVENTION: Enzyme
 12 <130> FILE REFERENCE: 002.00170
 15 <140> CURRENT APPLICATION NUMBER: 09/937,009
 17 <141> CURRENT FILING DATE: 2000-03-17
 20 <150> PRIOR APPLICATION NUMBER: PCT/GB00/01004
 22 <151> PRIOR FILING DATE: 2000-03-17
 25 <160> NUMBER OF SEQ ID NOS: 21
 29 <170> SOFTWARE: PatentIn Ver. 2.0
 33 <210> SEQ ID NO: 1
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 37 <212> TYPE: PRT
 39 <213> ORGANISM: Artificial Sequence
 43 <220> FEATURE:
 45 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
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 59              20
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 75 <220> FEATURE:
 77 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
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109 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
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(global error)
insufficient explanation
(give source of genetic material - see item 11 on Error Summary Sheet)

RAW SEQUENCE LISTING DATE: 05/15/2002
PATENT APPLICATION: US/09/937,009 TIME: 16:04:41

Input Set : A:\P22517PC.txt
Output Set: N:\CRF3\05152002\I937009.raw

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123              20
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145 <400> SEQUENCE: 4
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149   1               5                  10                  15
153 Leu Met Asp Lys Lys Val Lys Pro Pro Phe Ile Pro Thr Ile Arg Gly
155              20                  25                  30
159 Arg Glu Asp Val Ser Asn Phe Asp Asp Glu Phe Thr Ser Glu Ala Pro
161          35                  40                  45
165 Ile Leu Thr Pro Pro
167      50
173 <210> SEQ ID NO: 5
175 <211> LENGTH: 23
177 <212> TYPE: PRT
179 <213> ORGANISM: Artificial Sequence
183 <220> FEATURE:
185 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
189 <400> SEQUENCE: 5
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193   1               5                  10                  15
197 Glu Tyr Ile Asn Pro Leu Leu
199              20
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207 <211> LENGTH: 6
209 <212> TYPE: PRT
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225   1               5
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233 <211> LENGTH: 23
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237 <213> ORGANISM: Artificial Sequence
241 <220> FEATURE:
243 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
247 <400> SEQUENCE: 7
249 Asp Glu Asp Ala Ile Lys Arg Ile Asp Gln Ser Glu Phe Glu Gly Phe
251   1               5                  10                  15
255 Glu Tyr Ile Asn Pro Leu Leu
```

RAW SEQUENCE LISTING DATE: 05/15/2002
PATENT APPLICATION: **US/09/937,009** TIME: 16:04:41

Input Set : **A:\P22517PC.txt**
Output Set: **N:\CRF3\05152002\I937009.raw**

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299 <220> FEATURE:
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395 <213> ORGANISM: Artificial Sequence
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OK

RAW SEQUENCE LISTING DATE: 05/15/2002
PATENT APPLICATION: **US/09/937,009** TIME: 16:04:41

Input Set : **A:\P22517PC.txt**
Output Set: **N:\CRF3\05152002\I937009.raw**

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439 Leu Met Asp Lys Lys Val Lys Pro Pro Phe Ile Pro Thr Ile Arg Gly
441              20                  25                  30
445 Arg Glu Asp Val Ser Asn Phe Asp Asp Glu Phe Thr Ser Glu Ala Pro
447          35                  40                  45
451 Ile Leu Thr Pro Pro Arg Glu Pro Arg Ile Leu Ser Glu Glu Glu Gln
453      50                  55                  60
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459  65                  70                  75
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491              20                  25                  30
495 Arg Thr Asp Val Ser Asn Phe Asp Glu Glu Phe Thr Gly Glu Ala Pro
497          35                  40                  45
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521 <213> ORGANISM: Artificial Sequence
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527 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
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533 Lys Glu Ile Met Gln His Arg Phe Phe Ala Gly Ile Val Trp Gln His
535   1               5                  10                  15
539 Val Tyr Glu Lys Lys Leu Ser Pro Pro Phe Lys Pro Gln Val Thr Ser
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RAW SEQUENCE LISTING DATE: 05/15/2002
PATENT APPLICATION: **US/09/937,009** TIME: 16:04:41

Input Set : **A:\P22517PC.txt**
Output Set: **N:\CRF3\05152002\I937009.raw**

```
541              20                  25                  30
545 Glu Thr Asp Thr Arg Tyr Phe Asp Glu Glu Phe Thr Ala Gln Met Ile
547          35                  40                  45
551 Thr Ile Thr Pro Pro Asp Gln Asp Asp Ser Met Glu Cys Val Asp Ser
553      50                  55                  60
557 Glu Arg Arg Pro His Phe Pro Gln Phe Ser Tyr Ser Ala Ser Thr Ala
559  65                  70                  75                  80
571 <210> SEQ ID NO: 17
573 <211> LENGTH: 75
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587 <400> SEQUENCE: 17
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597              20                  25                  30
601 Glu Glu Asp Val Ser Gln Phe Asp Ser Lys Phe Thr Arg Gln Thr Pro
603          35                  40                  45
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613 Phe Leu Gly Phe Thr Tyr Val Ala Pro Ser Val
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645 Leu Ile Asn Lys Lys Ile Thr Pro Pro Phe Asn Pro Asn Val Ser Gly
647              20                  25                  30
651 Pro Asn Glu Leu Arg His Phe Asp Pro Glu Phe Thr Glu Glu Pro Val
653          35                  40                  45
657 Pro Asn Ser Ile Gly Lys Ser Pro Asp Ser Val Leu Val Thr Ala Ser
659      50                  55                  60
663 Val Lys Glu Ala Ala Glu Ala Phe Leu Gly Phe Ser Tyr Ala Pro Pro
665  65                  70                  75                  80
669 Thr Asp
677 <210> SEQ ID NO: 19
679 <211> LENGTH: 76
681 <212> TYPE: PRT
683 <213> ORGANISM: Artificial Sequence
687 <220> FEATURE:
689 <223> OTHER INFORMATION: Description of Artificial Sequence:peptide
693 <400> SEQUENCE: 19
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Please correct this error in subsequent sequences.

VERIFICATION SUMMARY DATE: 05/15/2002
PATENT APPLICATION: **US/09/937,009** TIME: 16:04:42

Input Set : **A:\P22517PC.txt**
Output Set: **N:\CRF3\05152002\I937009.raw**

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/937,009	Dario Alessi	002..00170

INTERNATIONAL APPLICATION NO
PCT/GB00/01004

I.A. FILING DATE	PRIORITY DATE
03/17/2000	03/19/1999

Karla M Weyand
Braman & Rogalskyj
PO Box 352
Canandaigua, NY 14424-0353

CONFIRMATION NO. 2823

371 FORMALITIES LETTER

OC000000008210431

Date Mailed: 06/04/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):

  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832,

as indicated on the attached marked-up copy of the "Raw Sequence Listing."

- APPLICANT MUST PROVIDE:
  - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
  - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
  - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up copy of the "Raw Sequence Listing."

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 305-3659

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/937,009	PCT/GB00/01004	002..00170

FORM PCT/DO/EO/916 (371 Formalities Notice)